

Description of Proposed Project

Introduction

The County of Inyo (County) is proposing to update its General Plan to include policies for solar energy development within the County. The proposed Renewable Energy General Plan Amendment (REGPA) involves identifying new and modified General Plan goals, policies, and implementation measures, including Solar Energy Development Areas (SEDA), based on the results of an Opportunities and Constraints Technical Study (OCTS); a background report (Inyo County 2013); work completed in 2011; and, input from stakeholders and the public. From this foundation of work and outreach, eight proposed SEDAs have been identified and will be analyzed in the program environmental impact report (PEIR).

This work is being done through a grant from the California Energy Commission (CEC) and consists of funds from the Renewable Resource Trust Fund. These funds were made available to the County because of its participation in the Desert Renewable Energy Conservation Plan (DRECP). The DRECP was established in May 2010, by an agreement between the CEC, California Department of Fish and Wildlife (CDFW), Bureau of Land Management (BLM), and the U.S. Fish and Wildlife Service (USFWS) to guide renewable energy development in tandem with a multispecies conservation plan for the Mojave and Colorado Desert regions. Counties located within the DRECP area were also invited to participate in the DRECP efforts. Inyo County has been active in the DRECP since its inception and in March 2013 entered into a Memorandum of Understanding (MOU) with the CEC. The MOU provides the framework for a cooperative relationship between the CEC and Inyo County that focuses on effective planning and promotion of renewable energy development. To further these efforts, the County is proposing the REGPA to update its General Plan with policies designed to facilitate the responsible development of eligible renewable solar energy resources, which is the proposed project and the focus of the programmatic environmental impact report that will be prepared. The County will focus on solar energy development in its REGPA, as geothermal and hydro-electric generation is already adequately addressed in the General Plan and the Zoning Code, and wind has been excluded based on public input.

In addition to its involvement with the DRECP, the County has been active in the large scale planning for renewable energy development throughout the desert southwest by involvement in the California Transmission Planning Group, the Renewable Energy Transmission Initiative, the Solar Programmatic Environmental Impact Statement (prepared by the BLM for lands under its

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jurisdiction) and the West-wide Energy Corridor Program Environmental Impact Statement. The County's involvement in these groups and initiatives has been focused on better land use and transmission opportunities for responsible renewable energy development in Inyo County. In 2010 the County adopted Title 21: the Inyo County Renewable Energy Ordinance, which was developed to encourage and guide the development of solar and wind resources in the County. In 2011, the County adopted a REGPA that was rescinded due to litigation brought forth by environmental groups over the adequacy of the CEQA document that addressed the REGPA. Subsequently, the County has initiated the development of the Draft 2013 REGPA. The County prepared a background report for the REGPA in October 2013 and held multiple stakeholder and public meetings in November and December 2013 to provide opportunities for public involvement in the process. The background report provides an overview of the County's previous and current efforts to include policies for renewable energy development in the General Plan and provides a foundation to identify areas that may be appropriate for future renewable energy development based on a set of criteria. The County also prepared the OCTS in February 2014. The OCTS combines resource and infrastructure requirements for renewable energy development with key environmental considerations in the County and with available spatial data to identify the County's renewable energy resources and potential locations where development of these resources can most feasibly occur. The OCTS identifies areas that would result in the least environmental impacts and so would present the best opportunities for streamlined processing of renewable energy development applications, and identifies levels of constraint for the identified areas.

On February 26, 2014 the Inyo County Planning Commission received a presentation on the Draft 2013 REGPA and took public comment. A revised Draft 2013 REGPA was presented to the Inyo County Board of Supervisors on April 1, 2014. In response to extensive input from the public, wind energy was removed from consideration in the REGPA. The proposed development areas as presented in the Draft 2013 REGPA were revised to utilize only existing transmission facilities in the County's western region and to guide the development to existing disturbed lands. The remaining areas in the County with potential development areas were greatly reduced also based on public input. Most of the public's expressed concern was to renewable energy development in the Owens Valley, in large part, based on potential impacts to the visual characteristics of the valley. Alternative solar development scenarios in the Owens Valley will be considered separately. As the County continues with the REGPA, the following will be used as criteria to help refine appropriate areas for solar energy development:

- areas with the highest energy generation potential;

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- availability of transmission;
- studies and plans conducted by other jurisdictions and groups;
- land with the appropriate slope and development characteristics;
- areas of avoidance including, potentially, critical habitats, military concerns, cultural and historic resources, and scenic resources; and,
- the visions and goals of the public.

Solar Energy Generation

The two primary types of solar power generation technologies are photovoltaic panel systems and solar thermal trough or tower systems. A typical solar thermal power plant uses hundreds of mirrors to concentrate sunlight for boiling liquid to produce steam that spins a turbine. Solar thermal facilities have potential visual impacts from use of mirrors and, perhaps towers, and depending upon the technology employed, may require an intensive amount of water use to cool turbines. Photovoltaic panels consist of a series of cells made from a semiconductor, usually silicon, which frees electrons to create an electric current.

Desert Renewable Energy Conservation Plan

The DRECP is a regional planning effort that focuses on the areas of the Colorado and the Mojave Deserts that are located within California. The DRECP boundary encompasses approximately 35,292 square miles of the southeast portion of California stretching from the U.S.-Mexico Border northward into Inyo County. Within Inyo County, the DRECP area covers 4,668 square miles or roughly 46 percent of the County. Refer to **Figure 1** for the extent of the DRECP area within Inyo County. The DRECP was established in response to federal and state legislation enacted to promote renewable energy development, while providing for the conservation and management of plant and wildlife communities. The DRECP includes the development of solar thermal, utility-scale solar photovoltaic, wind, and other forms of renewable energy and associated infrastructure such as electric transmission lines necessary for renewable energy development. It is being prepared by a collaboration of state and federal agencies, with input from local governments, environmental organizations, industry, and other interested parties.

Pursuant to a state executive order, a Renewable Energy Action Team was assembled to be responsible for the development of the DRECP by streamlining permit review and issuance time for renewable energy projects and to recommend avoidance measures or alternatives when appropriate. The Renewable Energy Action Team developed Solar Study Areas that were

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identified as potential areas for utility-scale solar development. These areas were identified based on a number of criteria, including quality of solar resources, suitable slope, proximity to roads and transmission, acreage, and the conservation value of the land. Following further study, the areas were further refined to be available for projects capable of producing 10 megawatts or more of electricity for distribution. When the final DRECP is completed, it is expected to provide binding, long-term endangered species permit assurances while facilitating the review and approval of compatible renewable energy projects. Currently the DRECP is in review with seven alternatives being considered.

Transmission Planning

The potential to develop renewable energy resources in specific areas is dependent on sufficient transmission capacity that provides for adequate delivery of the generated energy. Utilizing existing transportation planning efforts to evaluate current transmission line capabilities, the County identified necessary upgrades that may be required to carry additional electricity. These planning efforts include: (1) the mapping elements conducted by the Renewable Energy Transmission Initiative that identifies competitive renewable energy zones, (2) the DRECP Transmission Planning that evaluates areas of transmission needs, (3) the West-wide Energy Corridor Programmatic Environmental Impact Statement conducted by the BLM and the U.S. Departments of Energy, Agricultural, and Defense to identify energy corridors to facilitate future siting of energy development, including renewable energy development projects and electricity transmission and distribution facilities on federal lands, and (4) the Solar Program Environmental Impact Statement to study the availability of BLM land for solar development. The County used this information to identify SEDAs close to existing regional transmission lines so that future needs for additional capacity could be met by co-locating in already established utility right-of-ways. The County identified SEDAs that could be reached with minimal impacts by local transmission lines that are close or convenient, based on right-of-way availability.

Location and Description of the REGPA

Inyo County is located on the east side of the Sierra Nevada, in the eastern-central part of California. The eastern boundary of the County is the California state boundary line with Nevada. The locations of SEDAs were determined through the OCTS, work completed in 2011, and input from stakeholders and the public. Refer to **Figure 1** for the locations of the eight proposed SEDAs in Inyo County.

Inyo County is best described as rural. With approximately 10,227 square miles of land and 18,456 people (2010 Census), it has an approximate 1.8 persons per square-mile population

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density. Most of the land in Inyo County is held in public ownership, less than 2 percent of County land is privately owned. The County has only one incorporated city, the City of Bishop. Most of the County's population lives in Bishop or in the immediately surrounding areas. The rest of the County's population lives in small towns, the majority of which are concentrated along the Highway 395 corridor located in the Owens Valley.

The County has a high-desert climate, caused by the rain shadow effect of the Sierra Nevada to the west. These climates are marked by very hot summers and very cold winters – both predominately dry. The County is part of the basin and range province that extends across most of the western United States. The basin and range province was created by faulting in the earth's crust that caused uplifting, down-dropping, and stretching of the land. The County's extreme landscape caused by these geologic forces includes the highest point in the 48 contiguous states of the United States (Mt. Whitney at 14,505 feet above mean sea level) and the lowest point (Bad Water Basin in Death Valley at 282 feet below mean sea level). Located to the east of the Sierra Nevada and west of the White and Inyo Mountains lies the arid Owens Valley, and within it, flows the Owens River. The valley is one of the deepest in the United States, and provides water to the Los Angeles which is exported via the Los Angeles Aqueduct. Inyo County has a rich history of mining and agricultural activities (primarily cattle ranching).

Project Components

The primary elements of the proposed REGPA, potential areas for development, and the solar development considered in the REGPA are described below.

General Plan Amendment

Inyo County is committed to updating its General Plan with policies for responsible renewable solar energy development.

The REGPA will be prepared to provide structure and guidance to ensure that potential development is conducted in a manner consistent with the County's overall goals for development. The policies contained in the REGPA may set the limits of where, when, how, and even if, renewable energy generation facilities will be built; and, can include provisions for actual sites identified in the County that may be appropriate for renewable energy development; what specific factors must be met before development can commence; under what conditions a facility can be built; and, requirements for the termination of a facility.

By implementing the REGPA, the County hopes to provide the proper structure and guidance for potential solar energy development and keep such development consistent with the overall vision

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of the County that was adopted through a thorough public process and expressed in the current General Plan.

The REGPA will incorporate policies from the 2011 REGPA that have been modified, as well as new policies. The 2011 REGPA updated the Land Use, Public Services and Facilities, Economic Development, Conservation and Open Space and Public Safety Elements of the General Plan and focused on: (1) identifying the appropriate means to develop renewable wind and solar energy resources provided that social, economic, and environmental impacts are minimized; (2) offsetting costs to the County and lost economic development potential and mitigation of economic effects; (3) working to protect military readiness; and (4) considering conversion of lands utilized for agriculture, mining, and recreation. These policies may be amended or supplemented as a result of identified SEDAs, the stakeholder/public outreach processes, and the evaluations contained in the PEIR for incorporation into this proposed REGPA.

Solar Energy Development Areas

As part of the REGPA, the County has identified SEDAs that may be appropriate for renewable energy development exploration. They are areas viable for renewable solar energy development based on criteria developed within the confines of: (1) energy generation ability; (2) proximity to transmission; (3) the presence of biological and cultural attributes; (4) socio-economic factors; and (5) visual resources. It is also desirable that these areas be close enough to existing transmission corridors to export energy without the huge expense and environmental disruption of new transmission lines. Areas given special consideration as SEDAs include degraded lands such as brownfields, mines, landfills, and the Owens Dry Lake bed, and properties requested for consideration by property owners. Areas excluded from consideration included BLM areas of critical environmental concern and wilderness areas. The proposed SEDA's can be further refined based on information regarding cultural, historic, visual and other resources and constraints gathered during the environmental evaluation process.

The proposed SEDAs were identified based on the results of the work completed in 2011 and the OCTS prepared for the 2013 REGPA and were refined by public input. The OCTS utilized readily available spatial data to depict the County's renewable energy resource potential and analyzed the data in light of the criteria identified above. Areas identified in the OCTS as potentially appropriate for development were further reduced based on public comment. A total of eight SEDAs, have been proposed to be included for solar development in the REGPA. The Owens Valley will be evaluated separately with additional criteria, such as for distributed generation and small-scale facilities. The SEDAs have been identified as having the greatest energy generation ability while in proximity to sufficient transmission, and having the least

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potential impact on known environmental resources. The PEIR process will provide the opportunity to conduct environmental reviews on the SEDAs. Caps on total development are also proposed.

Owens Valley

The results of the preliminary work done for the 2013 REGPA indicated concerns regarding development in the Owens Valley. Therefore, with the exception of the Laws SEDA, potential development within the Owens Valley is planned to be further explored more specifically through another planning process. A separate set of potential criteria for siting in the Owens Valley have been formulated: (1) only utilize existing transmission facilities and corridors; (2) guide the development to disturbed lands, including over and along the Los Angeles Aqueduct; (3) consider encouraging development at solid waste and wastewater treatment facilities, on private lands, in small-scale (e.g., roof tops) and distributed generation (20 megawatt or less) arrays, and around communities in smaller arrays (10 megawatt or less); (4) mitigate potential impacts to the environment, society, culture, and economy of the County; (5) work to avoid significant alterations to visual resources; (6) minimize intertie facilities. Although the Owens Valley may be considered, within this very specific set of potential criteria, it is not considered a SEDA and it along with the SEDAs located in the western region of the County are limited to a 250 megawatt cap on development.

Potential Environmental Impacts

The program environmental impact report (PEIR) will be prepared to assess the environmental, visual and economic impacts associated with solar energy development of the REGPA and to evaluate alternatives to determine the best approaches for avoiding, minimizing, and mitigating potential impacts. All California Environmental Quality Act (CEQA) environmental resource issues will be addressed in the PEIR; however, the level of analysis may vary based on the complexity of the issues, and the public's and agency responses to the NOP.

Initial assumptions about the general environmental impacts to be addressed in the PEIR are provided below, and incorporate pertinent information from the work completed to date.

Aesthetics/Visual Resources

Inyo County is a land of scenic resources, and as a result, there are several policies and strategies in place to preserve them. The U.S. Forest Service has a program designed to preserve air quality in areas with scenic, recreational, historic or natural value. This program, called the Prevention

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of Significant Deterioration, has an area identified along the western edge of Inyo County in the John Muir Wilderness. There are also several scenic byway designations from BLM and the State of California. These designations were created to help people find the best roads for auto touring and to encourage the preservation of these scenic resources. The proposed project would result in the consideration of placement of either solar modules for photovoltaic systems, or solar thermal trough or tower systems. Depending on the sizes and locations of potential solar energy facilities, they could be visually prominent and affect scenic vistas and scenic resources. Aesthetic and visual resource impacts will be evaluated in the PEIR through written and graphic analysis. The PEIR will evaluate the potential for renewable solar energy project developments to create a substantial source of glare and/or lighting that could affect nearby uses, views of the surrounding areas, or aircraft operations. As appropriate, visual resources policies regarding renewable solar energy development have been incorporated into the REGPA and may be refined through the environmental review process.

Agricultural and Forestry Resources

Inyo County supports agriculture and forestry resources. No Farmland or Williamson Act Contracts exist in the County. The PEIR will include an analysis of the potential impacts on agriculture through the displacement of uses resulting from the development of the SEDAs. The PEIR will also evaluate modifications to the Agricultural Resources Policy of the Conservation/Open Space Element of the existing General Plan.

Air Quality

Inyo County generally has good air quality; however, the Owens Valley is in non-attainment status for particulate matter less than 10 microns in diameter. Most air quality impacts associated with developing renewable solar energy projects would occur during the construction phase and would be associated with fugitive dust and criteria pollutant emissions from construction activities. The PEIR will evaluate the short and long term sources of air pollutants that may result from renewable solar energy development. The PEIR will evaluate consistency with regional and local air quality plans. The PEIR also will evaluate a new Air Quality Implementation Measure proposed to be incorporated into the General Plan as part of the Public Safety Element.

Biological Resources

The SEDAs will be further evaluated to minimize or exclude the following resource areas: Desert Wildlife Management Areas, and areas that may accommodate rare, endangered, and sensitive plant and animal species. Although the SEDAs will be identified to minimize impacts

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to biological resources based on existing information, development of renewable solar energy projects under the REGPA could impact biological resources during construction and operations, and the extent of the impact could vary depending on the sizes and locations of these developments. The PEIR will evaluate the REGPA at a programmatic level for impacts to biological resources, including potential impacts on vegetation communities, wildlife habitats, wildlife movement corridors, wetlands and other waters of the U.S. and/or State, habitat conservation plans/protection ordinances, and sensitive and/or listed species.

Cultural and Historic Resources

Inyo County has an abundance of cultural and historic resources. The Paiute and Shoshone people lived in Inyo County and the areas surrounding it, long before Euro-Americans settled in the area. Their legacy can be found throughout the County in the form of burial grounds, artifacts and landscapes with cultural significance. Early Euro-American settlement also left important historic resources throughout Inyo County, from mining, ranching, and railroad artifacts to old cabins and buildings. The SEDAs included in the REGPA will be evaluated at a programmatic level for impacts to cultural resources.

Geology and Soils

Inyo County contains seismically active areas, and substantial ground shaking may occur. The PEIR will assess soil and geologic conditions, and identify hazards related to seismic activity, including the potential for liquefaction, ground-shaking, and soil failure, as well as potential environmental effects related to soil stability and erosion potential.

Greenhouse Gas Emissions

The main source of greenhouse gas emissions associated with renewable solar energy projects that may be developed under the REGPA would result from the combustion of fossil fuels during project construction. These emissions will be quantified using an acceptable methodology or model and will be evaluated consistent with CEQA requirements.

Implementation of the REGPA is expected to have an overall beneficial effect on global warming by reducing greenhouse house gas emissions associated with electrical energy production. The PEIR will address the potential impacts to greenhouse gas emissions as a result of developing and operating renewable energy projects.

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Hazards and Hazardous Materials

The REGPA will be evaluated at a programmatic level for the presence of hazards or hazardous conditions that could affect construction and operation of renewable energy projects, including the location of hazardous waste sites included in state and federal databases, airport and airstrip hazard zones, emergency response routes, and wildfire hazards. The PEIR will include a disclosure and analysis of hazardous materials or operations associated with construction and operation of renewable energy developments that may affect adjacent areas and their land uses.

Hydrology and Water Quality

Renewable solar energy development projects could result in changes to project sites that could affect existing drainage systems and surface water quality. The proposed SEDAs will be evaluated in the PEIR at a programmatic level for potential hydrology and water quality issues, including impacts to floodplains, surface water and ground water. The PEIR also will evaluate a proposed new Water Resources Policy for incorporation into the General Plan as part of the Conservation/Open Space Element.

Land Use and Planning

Solar energy development could affect existing land uses. The REGPA proposes revisions to the Land Use Element of the General Plan, which will be evaluated in the PEIR. Consistency with other relevant local, regional, State and federal plans will also be addressed.

Mineral and Energy Resources

The PEIR will identify the long-term impact of development on mineral resource policies contained in local land use plans and the General Plan. The PEIR will also evaluate a proposed Mineral and Energy Resources Goal with associated policies and measures proposed for incorporation into the General Plan as part of the Conservation/Open Space Element.

Noise

The PEIR will identify potentially noise sensitive areas and will identify potential noise impacts (including vibration) to those noise sensitive areas. The operation of heavy duty equipment and other construction activities would generate potentially significant noise levels during the construction phase. Noise as a result of operation and maintenance activities, including noise resulting from increased transportation during operation of the facilities, will be considered. The PEIR also will evaluate a proposed Noise Implementation Measure for incorporation into the General Plan as part of the Public Safety Element.

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Population and Housing

The PEIR will identify potential short and long term impacts to population and housing as a result of solar energy development, including short term and long term population increases and housing needs as a result of employment for construction and operations. The SEDAs will be evaluated for their potential to divide or otherwise impact existing communities.

Public Services

With the accommodation of the construction workforce during potential solar energy development there could be temporary increased demand for public services, including police and fire protection services and community facilities, such as schools. The PEIR will evaluate short term and long term impacts on public services that would directly or indirectly occur as a result of employment for construction and operations of the SEDAs. The PEIR will also evaluate a proposed new Public Services and Facilities Policy for incorporation into the General Plan as part of the Public Services and Facilities Element.

Recreation

Short and long term impacts to recreation facilities may occur as a result of employment for construction and operation of solar energy facilities. Additionally, development may impact tourism in certain areas. The PEIR will identify potential impacts to recreational facilities and tourism. The PEIR will also evaluate a proposed new Recreation Implementation Measure for incorporation into the General Plan as part of the Conservation/Open Space Element.

Traffic and Circulation

The PEIR will identify potential impacts to traffic and circulation as a result of construction and operation traffic resulting from potential solar energy development. Development could impact local roadways, intersections, and safety, as a result of roadway expansions or other improvements to accommodate the project and its associated traffic. The PEIR will evaluate impacts to traffic and circulation at a programmatic level, including potential access points for site development within the SEDAs, trip generation factors, and traffic distribution routes (including large truck/construction traffic routes).

Utilities and Service Systems

Similar to the impacts to public services, solar energy development may result in short and long term impacts on utilities and service systems to accommodate increased employment for construction and operations of the development, as well as meeting the utility and service needs of the facilities themselves. The PEIR will evaluate at a programmatic level the potential impacts

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of the proposed project relative to energy use, water supply, wastewater collection, treatment and disposal, and solid waste collection and disposal.

Additional Information/Resources

The County maintains an active and current website with links to additional information and background reports referenced in the NOP (including the proposed REGPA policies). To review this information electronically, please direct your Internet browser to:

[<http://www.inyoplanning.org/projects/REGPA.htm>].